

UNITED STATES DISTRICT COURT
for the
District of Arizona

United States of America

v.

Ricky Lee DAVIS

Defendant

Case No.

19-376 MS

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of March 9th, 2019 and continuing through May 21st, 2019 in the District of Arizona, defendant Ricky Lee DAVIS, a person convicted of CIR Aggravated Sexual Abuse of a Minor in violation of Arizona law – August 24th, 2011 and required to register in the State of Arizona under the Sex Offender Registration and Notification Act, did knowingly fail to register or update his registration as required by SORNA. DAVIS knowing of his requirements to register, failed to update registration with the Arizona Department of Public Safety Sex Offender Registry as a convicted sex offender under A.R.S. 13-3821.

In violation of Title 18, United States Code, Section(s) 2250 Failure to Register as a Convicted Sex Offender.

I further state that I am a Deputy U.S. Marshal.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

AUTHORIZED BY: AUSA Jaqueline Sheshol for Krista Wood

Continued on the attached sheet.



Complainant's signature

Allen Schrader Deputy U.S. Marshal

Printed name and title

Sworn to before me and signed in my presence.

Date: July 11, 2019



Judge's signature

City and state: Phoenix, AZ

Michelle H. Burns, U.S. Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Allen Schrader, being duly sworn, hereby depose and state that:

1. I, Allen Schrader (hereafter your affiant), am a Deputy with the United States Marshals Service and have been so employed since 2008. I am currently assigned to the United States Marshals Service Wanted Task Force. My duties include locating absconder sex offenders to determine if a violation of the Sex Offender Registration and Notification Act (SORNA) exists. This affidavit is made in support of a criminal complaint for Ricky Lee DAVIS for Failure to Register as a Sex Offender in violation of Title 18 United States Code Section 2250. The facts contained within do not reflect all the facts known in this case.
2. On May 6th, 2019, your affiant was assigned an investigation to determine if Ricky Lee DAVIS was in violation of SORNA. DAVIS was in custody on a supervised release violation as of May 21st, 2019. Deputy United States Marshal (DUSM) Schrader requested all documents related to this investigation from Senior United States Probation Officer (SRUSPO) R. Andrews, and reviewed the Report Of Investigation (USM-311) from CR 15-00639-001-PHX-GMS. Additionally, DUSM Schrader conducted computer queries to determine if DAVIS had registered as a sex offender as required by law since absconding from the NBTC facility in Tucson, Arizona on or about March 9th, 2019. All queries resulted in no information in regards to DAVIS' whereabouts.
3. On or about December 3rd, 2018, DAVIS was released from custody, and reported to NBTC located at 2445 N Oracle Rd Tucson, Arizona. Continuing on

December 3rd, 2018, DAVIS registered as a sex offender with the Pima County Sheriff's Office (PCSO) as required by law. DAVIS acknowledged, "I understand within (72) hours after I move from a county (including out of state) from which I am registered, I shall notify in writing the Sheriff in County from which I move". Additionally, DAVIS acknowledged, "I understand that my responsibility to register as a sex offender is a life time requirement and failure to register is punishable as a felony". DAVIS acknowledged both of the above requirements by signing and affixing his thumbprint to the document. Supervision by SRUSPO R. Andrews began shortly thereafter.

4. On March 9th, 2019, at approximately 2233 hours, DAVIS approached staff at NBTC with all his belongings, and informed them that he was no longer going to reside at NBTC, and left the facility without permission, and his whereabouts were unknown to authorities. NBTC notified (SRUSPO) R. Andrews. On April 23rd, 2019, (SRUSPO) R. Andrews filed a petition with the District Court for the arrest of DAVIS for Violation of Supervised Release Conditions. On May 1st, 2019, a warrant was issued for the arrest of DAVIS and I, DUSM Schrader was assigned the case.
5. On May 21st, 2019, DAVIS was arrested by the Arizona Department of Public Safety (AZDPS) on the outstanding Supervised Release Violation, issued out of the United States District Court for the District of Arizona (see AZ DPS Report under case #2019-024583). DUSM Schrader contacted the Arizona Department of Public Safety Sex Offender Registry, and determined that since absconding from the NBTC in Tucson DAVIS had not notified the (PCSO) in writing of his

change of residence. Inquiries indicate that DAVIS has not registered in any other county in Arizona as required by law.

6. On May 22nd, 2019, DAVIS was interviewed by Senior Inspector (SI) C. Kruse and DUSM Schrader at the Sandra Day O'Connor Courthouse in Phoenix AZ, reference this matter. DAVIS, after being advised of his Miranda Rights invoked his right to have an attorney present, and declined to answer any questions. The interview was concluded, and DAVIS was advised that he was being investigated for violations of SORNA.

7. In conclusion, DAVIS was convicted of an offense that requires him to register as a sex offender under SORNA and state law. DAVIS was on notice of his requirement to register as a sex offender and had registered as a sex offender in Pima County on December 3, 2018, after his release from custody. DAVIS then absconded from NBTC on March 9, 2019, and failed to notify authorities of his change in residence. DAVIS' whereabouts were unknown to authorities until he was arrested on the outstanding Supervised Release warrant issued by the United States District Court for the District of Arizona.

8. Federal law, Title 34 U.S.C. § 20913, requires a convicted sex offender to register or update their registration within 3 business days.

9. Based on the above facts, DAVIS is in violation of 18 United States Code Section 2250(a), Failure to Register as a Sex Offender, a violation of the Sex Offender Registration and Notification Act SORNA.



Allen Schrader

Deputy U.S. Marshal

Sworn to and subscribed before me
this 11th day of July, 2019.



Michelle H. Burns

U.S. Magistrate Judge